

REMARKS

Claims 3, 4-5 are currently pending. Claim 3 is amended herein. Support for the amendments is detailed below. Claim 5 has been added herein. Support for claim 5 is found at least at page 16, line 20 to page 17, line 2 and Fig. 17.

Applicants' Response to the Claim Rejections under 35 U.S.C. §102

Claims 3 and 4 are rejected under 35 U.S.C. §102(b) as being anticipated by Wordingham (US 1,179,596).

In response thereto, applicants respectfully submit that Wordingham does not anticipate amended claim 3 for at least the reason that the reference does not teach each and every feature of the claim either expressly or inherently.

Specifically, as detailed below, Wordingham at least fails to disclose a flexible member as a wall covering which covers the entire surface of a wall and on which a slit is provided wherein a detachable portion of the flexible member is raised up from the entire wall via the slit.

In regard to the term "wall" as used in the claim language the Office maintains that the shirt hanger of Wordingham teaches the equivalent of this feature. Specifically, the Office Action states:

"[t]he surface of 14 is integral with the rest of flexible member 10 and therefore the flexible member 10 is considered 'formed' on the surface of wall 14."

Page 3, lines 5-7 of the Office Action.

As such, the Office has interpreted the term "wall" so as to include the tongue 14 disclosed by Wordingham. The Office Action implies that the relationship between the hanger

and the entire wall covering needs to be clarified, and recommends amending the claims to more clearly defining the flexible member as a wall covering which covers “the entire surface of a wall” and the hanger as being a cut out from this entire wall covering. Page 3, lines 18-23 of the Office Action.

In response, applicants have amended claim 3 herein so that the tongue 14 of Wordingham cannot be considered equivalent to a wall as claimed. Specifically, amended claim 3 reads in part that:

... a flexible member as a wall covering which covers the entire surface of a wall and on which a slit is provided wherein a detachable portion of said flexible member is raised up from the entire wall via the slit,... and wherein a vertical-directional upper area is not detachable from the wall ...

The claim language is clear that a vertical-directional upper area is a portion of the flexible member which covers an entire wall surface. In other words, the tongue 14 of Wordingham is more akin to the vertical-directional upper area 12T of the application, and the claim language requires that this area is not detachable from the wall W. See, for example, pages 15-18 and Figs. 16-18 of the application. Further, Wordingham clearly teaches that the tongue 14 is detachable from a wall or anything else, as the invention thereof is directed to a portable hanger. See col. 1, lines 9-17 and 33-39. Hence, Wordingham does not disclose each and every feature of the claimed invention; and therefore, does not anticipate the presently claimed invention pursuant to 35 U.S.C. §102.

Application No.: 10/575,168
Art Unit: 3765

Amendment under 37 CFR §1.114
Attorney Docket No.: 062228

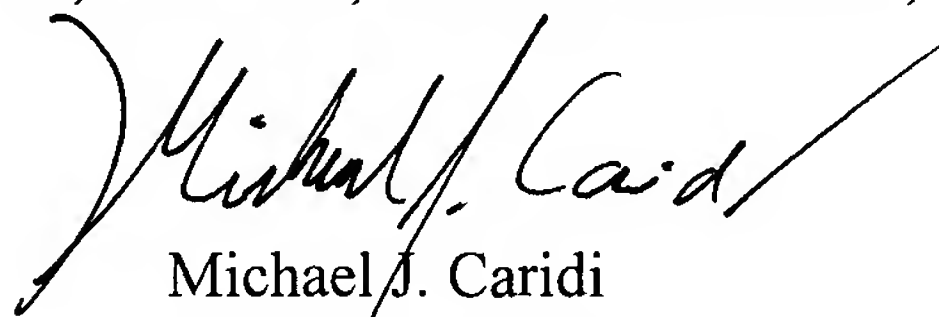
In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read "Michael J. Caridi", is written over the printed name and title.

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